

**ALASKA STATE LEGISLATURE
SENATE RESOURCES STANDING COMMITTEE**

February 15, 2021

3:31 p.m.

MEMBERS PRESENT

Senator Joshua Revak, Chair
Senator Peter Micciche, Vice Chair
Senator Gary Stevens
Senator Jesse Kiehl
Senator Scott Kawasaki

MEMBERS ABSENT

Senator Click Bishop
Senator Natasha von Imhof

COMMITTEE CALENDAR

SENATE BILL NO. 22

"An Act repealing the termination date for the intensive management hunting license surcharge."

- MOVED SB 22 OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: SB 22

SHORT TITLE: INTENSIVE MGMT SURCHARGE/REPEAL TERM DATE

SPONSOR(s): SENATOR(s) REVAK

01/22/21	(S)	PREFILE RELEASED 1/8/21
01/22/21	(S)	READ THE FIRST TIME - REFERRALS
01/22/21	(S)	RES, FIN
02/12/21	(S)	RES AT 3:30 PM BUTROVICH 205
02/12/21	(S)	-- MEETING CANCELED --
02/15/21	(S)	RES AT 3:30 PM BUTROVICH 205

WITNESS REGISTER

EMMA TORKELSON, Staff
Senator Revak
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Provided an overview of SB 22.

DOUGLAS VINCENT-LANG, Commissioner
Alaska Department of Fish and Game
Anchorage, Alaska

POSITION STATEMENT: Provided an overview and answered questions regarding SB 22.

RONALD SOMERVILLE, representative
Territorial Sportsmen
Juneau, Alaska

POSITION STATEMENT: Testified in support of SB 22.

JOHN STURGEON, advocate
Safari Club International-Alaska Chapter
Anchorage, Alaska

POSITION STATEMENT: Testified in support of SB 22.

SAM ROHRER, President
Alaska Professional Hunters Association
Kodiak, Alaska

POSITION STATEMENT: Testified in support of SB 22.

MARK RICHARDS, Executive Director
Resident Hunters of Alaska
Fairbanks, Alaska

POSITION STATEMENT: Testified in support of SB 22.

ROD ARNO, Policy Director
Alaska Outdoor Council
Palmer, Alaska

POSITION STATEMENT: Testified in support of SB 22.

ACTION NARRATIVE

[3:31:22 PM](#)

CHAIR JOSHUA REVAK called the Senate Resources Standing Committee meeting to order at 3:31 p.m. Present at the call to order were Senators Kawasaki, Kiehl, Stevens, and Chair Revak. Senator Micciche arrived soon thereafter.

SB 22-INTENSIVE MGMT SURCHARGE/REPEAL TERM DATE

[3:31:56 PM](#)

CHAIR REVAK announced the consideration of SENATE BILL NO. 22 "An Act repealing the termination date for the intensive management hunting license surcharge."

CHAIR REVAK noted some of the committee members heard the legislation during the previous session, but COVID-19 interrupted its progress. He stated his intention to hear and move the bill.

3:33:00 PM

EMMA TORKELOSON, Staff, Senator Joshua Revak, Alaska State Legislature, Juneau, Alaska, explained that SB 22 repeals the termination date of the intensive management hunting license surcharge.

She said hunting is an essential part of many Alaskan's lives, but to maintain sustainable wildlife populations for future generations, careful management of these populations is necessary, which is where intensive management (IM) comes in. The moment caribou, moose, or deer population becomes at risk of falling below a sustainable level, the IM program identifies the root cause of the population decrease and then develops and implements a plan to rectify the issue. Most often the IM plans focus on research and management, but they can also include habitat enhancement.

She noted prior to 2016, the IM program received funding via capital project appropriations, but since 2016 the program has received funding via a surcharge placed on several types of hunting license that federal grant money matches—true subsistence hunters and senior hunters are exempt from paying this fee.

MS. TORKELOSON detailed when the bill initially passed, the surcharge included a sunset date that is set to expire soon, the bill before the committee repeals that sunset date to keep the successful program going into the future. Every year the surcharge brings in approximately \$1 million in user funds that leverages another \$3 million from the Pittman-Robertson (PR) match grant in federal money.

She summarized that passage of SB 22 ensures that the IM program can be self-sustainable and user-funded into the future so it can continue to protect Alaska's wildlife populations and promote food security across the state.

CHAIR REVAK invited Commissioner Vincent-Lang to address the committee.

3:35:36 PM

DOUGLAS VINCENT-LANG, Commissioner, Alaska Department of Fish and Game, Anchorage, Alaska, stated that the Alaska Legislature recognized the importance of wild game meat to Alaskans as a food source, and consistent with Article VIII, Section 4 of the Alaska Constitution, passed the Intensive Management (IM) Law in 1994; this law requires the Alaska Department of Fish and Game (ADF&G) and the Alaska Board of Game to identify moose, caribou, and deer populations that are especially important food sources and to ensure that the populations remain large enough to provide food security for Alaskans through an adequate sustained harvest.

He said recognizing the potential for federal interference in state IM programs, the department funded its IM program under the IM law from a series of capital projects. However, as the department expended capital funds and new funds were not allocated, hunters became concerned about the future of IM in Alaska.

COMMISSIONER VINCENT-LANG noted because of the success of the state IM programs and increasing ungulate—principally caribou and moose—populations on state land, hunters requested the addition of an IM surcharge to their licenses. The hunters made their request to ensure that dedicated funds were available for assessing and conducting IM activities, especially given the reluctance of federal managers to conduct IM on their lands or using federal funds to conduct IM.

He detailed the legislature added an IM surcharge to hunting licenses in 2016. The department has collected surcharges since January 1, 2017 and used the funds to fulfill its obligations under the state's IM law. IM programs that enhance habitat or manage predators are a core element of game management on state lands. He emphasized IM programs also include habitat enhancement in addition to predator control. The department has done several habitat enhancement projects across Alaska aimed at improving ungulate numbers.

COMMISSIONER VINCENT-LANG noted in addition to reliable funding, careful planning is essential to ensuring the state's IM programs are both effective and defensible. IM protocol guides all IM programs to ensure decisions are based on the best available science. IM allows the department to put food on the table of Alaskans—one of his priorities as commissioner—and is essential to meeting subsistence needs—the department's first priority.

COMMISSIONER VINCENT-LANG asked the committee to consider the success the department has had in meeting the food needs of Alaskans via the Fortymile caribou herd; this herd—restored through IM efforts—put over \$2.6 million of healthy meat in the freezers of Alaskans.

He added the IM surcharge funds also ensures the department can implement the state's IM law without interference from federal oversight. He pointed out two thirds of Alaskan lands are federal and are off limits to IM activities as the federal government manages for natural diversity and not human use, despite a rural subsistence priority. There is no assurance one can feed one's family under a natural diversity objective.

[3:36:24 PM](#)

SENATOR MICCICHE joined the committee meeting.

[3:38:59 PM](#)

COMMISSIONER VINCENT-LANG explained that SB 22 repeals the sunset of the IM surcharge. The IM proposal does not have any additional cost to the department. However, should the surcharge sunset, the department will see a significant decrease in its revenue to pay for IM and its ability to meet its obligations under the IM law.

He detailed revenue from the IM surcharge totaled approximately \$1 million in each of the last 3 calendar years with most funds used to match Pittman-Robertson (PR) dollars at a 1:3 ratio to conduct and defend the science the department uses to implement IM; that means absent of an appropriation for the match, the department could stand to lose nearly \$4 million, hampering its ability to conduct IM activities.

COMMISSIONER VINCENT-LANG said he urges the committee's support for SB 22, an important piece of legislation.

CHAIR REVAK thanked the commissioner for his comments.

SENATOR KIEHL noted that the department's materials contain references to research by the Division of Subsistence. He asked if any portion of the surcharge helps fund the division's activities on which some of those materials rely on.

[3:40:35 PM](#)

COMMISSIONER VINCENT-LANG answered the department has not funded the actual collection of subsistence information using the surcharge. However, the department focuses on providing animals

to meet the subsistence needs because the department is collecting the research information irrespective of whether an IM law is on the books, and funds come from other sources.

COMMISSIONER VINCENT-LANG added once the department has determined [amounts reasonably necessary for subsistence] (ANS) for each of the department's hunts across Alaska, the department then looks at whether there are defined-problem cases with the IM law, then the department deals with it though the collected IM funds to provide food on the landscape for those subsistence hunters.

SENATOR KIEHL noted the commissioner considered the [Fortymile caribou herd] as a successful IM program. He said he thinks the Alaska Peninsula caribou herd is another IM success.

He asked Commissioner Vincent-Lang to highlight some of the lessons the department has learned from less successful IM programs and how the department is avoiding those problems in its current programs.

COMMISSIONER VINCENT-LANG detailed he has been involved with IM since its protocol development when the law passed. He said one of the things he has learned is not to underestimate the necessity for local support in the IM programs because too often the IM requirement relies solely on the department. However, a successful IM program must have community engagement—the department's most successful programs had community-level engagements.

[3:42:58 PM](#)

SENATOR STEVENS noted habitat enhancement is a fairly small bit of the overall spending from the IM program, although it seems really important. He asked what the department has used the money for in habitat enhancement and what the future plans are for that money.

COMMISSIONER VINCENT-LANG answered when the IM law first passed, the department focused on predation control. However, the second critical equal element towards improving ungulate numbers on the landscape is habitat.

COMMISSIONER VINCENT-LANG noted habitat can degrade over time—largely due to the desire to not let fires burn on the landscape. One of the things the department has focused on is trying to find areas where fire can occur for landscape restoration. However, a lot of people do not like smoke around

Fairbanks, Anchorage, or getting into villages—the department certainly does not want cabins to burn down.

COMMISSIONER VINCENT-LANG said one of the things the department did last year in the Kenai Peninsula was to look at building firebreaks. The firebreaks allow for controlling naturally caused fires to protect community health and hopefully restore habitat for moose and caribou to thrive. The federal government is not excited about killing predators on their lands. However, the department has found ways to deal with firebreaks and habitat manipulation with its federal partners.

He noted the department is looking at different opportunities in the Alaphabet Hills—that have some fires there—to improve habitat. Also, a patchwork of landownership requires cooperation to look at habitat manipulation for the Mulchatna caribou herd—which is dismally down—where just predator removal will not solve that.

[3:45:26 PM](#)

SENATOR KAWASAKI asked if the capital and general fund spending [for the IM program] prior to FY2018 was roughly \$1 million.

COMMISSIONER VINCENT-LANG answered yes. He detailed that about 8 years ago there was a capital project for about \$4 million that the department could spend over 4 years—approximately \$1 million a year.

SENATOR KAWASAKI asked the following questions:

- When the [surcharge] first started three or four years, was the idea to capture the existing PR funds?
- Does the state anticipate the same level of support for PR funds coming from the federal government in the future?
- Is the State leaving dollars on the table by not supporting a higher surcharge to capture the federal funds that are not in the current capital or operation budgets?

COMMISSIONER VINCENT-LANG noted he was involved in the effort as a private citizen to get the surcharge in place. He said he thinks there were two rationales that the private sector was look at. One was to use PR funds to match surcharge funds to conduct the science that must go into making sure the predator control programs are effective and defendable. However, the intent was not to tie federal funding to actual predator removal and federal thoughts on that process.

COMMISSIONER VINCENT-LANG explained there was a desire—at least from the public's point of view—to have a pot of money to do the actual predator removal using state license dollars and have enough money for the science with PR matching funds. He said, "I think we have done a pretty good job over time on that match."

3:47:57 PM

SENATOR KAWASAKI noted there was a rush during the Obama administration to buy firearms and ammunition. He asked if he anticipates another rush purchase firearms and ammunition, which would increase the size of the PR fund at the federal and state levels.

COMMISSIONER VINCENT-LANG replied he thinks a rush to buy ammunition and guns is starting, and he suspects that the PR fund will increase again, especially with increased talks for potential gun regulation.

SENATOR KIEHL remarked the increase [in purchasing ammunition and guns] has been since October, at least.

He said since the bill would eliminate a sunset date, he looked at the department's website and noted several programs that had either ended, gone inactive, or have been active for a very long time. He asked what the department's decision-making process is for those programs.

3:49:41 PM

COMMISSIONER VINCENT-LANG noted the Alaska Board of Game's adoption of IM targets across the state is not in regulation for various caribou, moose, and deer population. When the department is not meeting its IM targets, the department has a statutory obligation to report back to the Board of Game about why the department thinks it is not meeting those targets. The department conducts an assessment as whether it believes its limiting factor to meet the Board of Game targets are habitat limited, predator limited, or other factors.

He stated if the factors for not meeting targets is predator or habitat limited, the department comes back with a plan to the Board of Game to address what the department thinks is necessary to get ungulate populations up to its harvest objectives that the board specifies. The department has an obligation every year to report back to the Board of Game as to how well it is doing towards an adopted IM plan.

COMMISSIONER VINCENT-LANG noted some cases—for instance the Mulchatna caribou herd—the department has an IM plan in place. The department was conducting IM on the landscape for wolves, but in some respects the department is unsuccessful in some programs simply because the amount of state land versus the amount of federal land, the department is not making the difference alone with that. The department goes back and reevaluates whether habitat improvement could be a mechanism to start touching some of those federal lands.

He pointed out programs turn on and off based on whether the department is meeting its population and harvest objectives, but secondarily if the department can fulfill its IM plan. He said if the department cannot [fulfill its IM plan], the department turns the program off because, "Why should the department spend money on it?"

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SENATOR KIEHL asked, should the bill pass and hypothetically things go great and the department hits its management targets in the vast majority of areas in the state, if he has the ability to switch off the surcharge and if so, what happens to the money.

COMMISSIONER VINCENT-LANG answered he does not see the surcharge going away simply because the IM statute is there. If the legislature repeals the IM statute and the foundation for it, then he agrees that there is very little need for the IM surcharge. However, the IM law is in the books—it is kind of an unfunded mandate to the department to fulfill its obligations under that statute—and the surcharge helps the department fulfill its mandate under the IM law.

SENATOR KIEHL referenced the rosy scenario he previously painted and asked him to explain the department's requirement for the [surcharge] if the department does not have predator removal or habitat manipulation costs. He said, "Then we are talking about, if memory serves, eight to nine percent of the wildlife conservation's fund source."

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COMMISSIONER VINCENT-LANG answered he is not seeing that rosy picture in the next decade and a half. He said he sees a growing population, an increased demand for ungulates on state land, and an increased desire by the state's federal partners to not manage for need on the landscape.

COMMISSIONER VINCENT-LANG added he does not believe the state is going to be able to meet the [ungulate] demand without some type of active management program. He said he sees the necessity of having the [management program] tool in the toolbox, but without money the tool is useless. He noted he watches the program carefully. He added he thinks the department has the safeguards in place to ensure the program is employed in a scientific and discretionary manner.

He said what he has seen over his two-and-a-half-decade involvement in wildlife is that [management programs] work and are something he supports to put food on Alaskans' tables while meeting the state's subsistence needs in rural Alaska.

SENATOR MICCICHE noted he talked earlier about the increased willingness for the refuge and federal land managers to work towards solutions, particularly in the wildland that is more adjacent to populated areas like on the Kenai Peninsula. He added when the commissioner talked about potential growing demand, he does not think that is going to happen overnight.

He asked if demand does occur, have the [management plans] been active enough to not only reduce the threat to communities, but to create more habitat. He explained he asked the question because he has been in those conversations and said, "Things that were not only a no but a hell no a few years back have become things that seem possible today."

[3:56:12 PM](#)

COMMISSIONER VINCENT-LANG answered he is more optimistic than he was in the past. He noted the Kenai Peninsula has some fire burning because they recognized [fires] got out of control and they now need some firebreaks. When dealing with diversity mandates that means letting nature run its course, which means having fires with the realization for having some controls around those fires. He said he is optimistic that the [state] is moving towards a commonality in management regimes that hopefully results in increased moose numbers on the Kenai Peninsula that goes into people's freezers.

COMMISSIONER VINCENT-LANG referenced the demand comments and noted how amazed he is in Alaskans' desire to put meat in their freezers based on what happened at the Fortymile hunt this year. The Fortymile hunt clearly showed a pent-up demand for Alaskans to put food in their freezers.

SENATOR MICCICHE stated he would not have supported removing a termination date in 2016, and he would not have supported the legislation without the legislature's ability to experiment with the functionality of the program and how successful it could be. However, with four years he is very comfortable moving SB 22 at this point.

He noted in 2016 he was concerned with not providing the department with a certain level of funding and what its outcome would look like. However, he is no longer concerned and thinks the program is positive and needs to go forward.

CHAIR REVAK explained he brought SB 22 forward for many of the reasons [Senator Micciche] addressed. He added now is not the time to leave federal dollars on the table. The [IM program] definitely fills a gap.

[3:59:04 PM](#)

CHAIR REVAK opened public testimony on HB 22.

[A technical difficulty occurred with public testimony.]

[4:01:32 PM](#)

At ease

[4:01:45 PM](#)

CHAIR REVAK called the committee back to order.

[4:02:00 PM](#)

RONALD SOMERVILLE, representative, Territorial Sportsmen, Juneau, Alaska, testified in support of SB 22. He noted that Senator Kiehl asked him to present the organization's comments on Senate Bill 150 from the previous legislative session, which mirrors SB 22.

He said Territorial Sportsmen supports SB 22 for a variety of reasons. One reason—illustrated by the commissioner—is the program requires funding to keep meeting the responsibility dictated in the IM law.

MR. SOMERVILLE detailed his background as follows:

- 24 years with the Alaska Department of Fish and Game
 - Deputy Commissioner
 - Director of Wildlife
- Served on the Board of Game for six years

MR. SOMERVILLE noted the new IM program started while he served on the Board of Game, the program that is still in effect today. The board stressed the need for funds continually through the process to determine if predator control or predator management is necessary, to look at other alternatives, and to determine whether they were successful.

He addressed the question posed earlier in the committee meeting on what happens if the program needs money if everything is okay. He explained constant populations monitoring—especially extreme deer and moose drops due to weather conditions—requires constant funding to provide—if needed—a recovery process and plan.

4:04:14 PM

JOHN STURGEON, advocate, Safari Club International-Alaska Chapter, Anchorage, Alaska, testified in support of SB 22. He stated wild food sources such as moose and caribou are extremely important for Alaskans—40 percent for rural Alaska and is becoming an important organic and healthy protein source for urban Alaskans. He said, "You cannot beat the wild game for being healthy and organic."

He noted the IM program has proven to be a very good way to increase game numbers for use as food sources for both urban and rural Alaskans. Also, with the fiscal short falls facing Alaskans, whenever possible, user groups should pay their own way; the funds generated from hunting license surcharges does exactly that and is a small price to pay for proper management of Alaska's wildlife.

4:06:00 PM

SAM ROHRER, President, Alaska Professional Hunters Association, Kodiak, Alaska, testified in support of SB 22. He said IM is a critical management tool for putting food on the table of Alaskans and designed to prevent ungulate populations from declining—such as a disequilibrium with predator populations—and cannot provide a harvestable surplus.

He stated the Alaska Professional Hunters Association (APHA) believes that wildlife managers need the tools that IM provides to monitor and potentially adjust the ratios of predator to prey. Meeting human needs—most critically subsistence needs—will not occur without those tools. IM programs require extensive and exhaustive population assessments as well as analysis of the factors leading up to the severe ungulate population declines—efforts that cost money.

MR. ROHRER noted APHA was part of the 2015 collation that rallied behind Representative Dave Talerico's legislation that raised hunting licenses and tag fees; that legislation, in addition to doubling non-resident fees, created a revenue stream to fund IM. The IM surcharge started out as an experiment but now it has become a critical revenue stream to support healthy and productive ungulate populations statewide.

He said APHA supports the current IM surcharge of \$10 for residents and \$30 for nonresidents, and the removal of the sunset clause offered in SB 22.

4:08:15 PM

MARK RICHARDS, Executive Director, Resident Hunters of Alaska, Fairbanks, Alaska, testified in support of SB 22. He said he agrees with the commissioner that if the IM statute is still law, the law requires the Board of Game to implement IM programs under certain conditions.

He said Resident Hunters of Alaska (RHAK) understands that some may not agree with predator control programs overall, but the design of the programs help put food on the tables of Alaskans and RHAK certainly supports that.

He addressed not having a termination date and noted the legislature has given the Board of Game authority to exempt such things as brown bear tags to residents. He suggested if the termination date came up later, the legislature may consider providing the board with the authority to exempt the surcharge if the department no longer needs it.

MR. RICHARDS agreed with Senator Kiehl on limited ammunition supplies. He said the state needs to use the additional PR funds and the IM program is a prime way to use those funds.

4:10:18 PM

ROD ARNO, Policy Director, Alaska Outdoor Council, Palmer, Alaska, testified in support of moving SB 22 through the legislature so there is no lapse in funding. The council worked on the IM statute in the 1990s—when food security was not a buzz word—and SB 22 tries to make sure that the people who benefit from it continue to help putting into it.

MR. ARNO thanked Senator Micciche for addressing a safeguard for the surcharge to prove itself out. He added the surcharge has

received the support of the people who are paying the surcharge money.

MR. ARNO said a good thing to think about—as Senator Micciche said—is taking care of rural subsistence needs. He added low-income licenses have increased in rural and urban Alaska, they do not pay the surcharge, but they benefit from it. He noted low-income urban hunters can only hunt in areas close to town that are road connected, that is where the conflicts are, but those areas need harvestable surpluses to take care of all Alaskans equally.

He commended the committee members for their knowledge about what the IM statute was supposed to be and for asking the department to speak to the fire.

[4:14:21 PM](#)

CHAIR REVAK closed public testimony on SB 22.

He noted that identical legislation made it through the Senate unanimously last year.

[4:14:45 PM](#)

SENATOR MICCICHE moved to report SB 22, work order 32-LS0208\A, out of committee with individual recommendations and attached fiscal note(s).

[4:14:59 PM](#)

CHAIR REVAK found no objection and SB 22 moved from the Senate Resources Standing Committee.

[4:15:17 PM](#)

At ease

[4:17:45 PM](#)

CHAIR REVAK called the committee back to order.

[4:18:15 PM](#)

There being no further business to come before the committee, Chair Revak adjourned the Senate Resources Standing Committee meeting at 4:18 p.m.